

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MENA CORTEZ et al.,

Plaintiffs,

23-CV-1028 (ALC) (KHP)

-against-

ORDER

LA NUEVA GIRALDA BAKERY, INC. et al.,

Defendants.
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KATHARINE H. PARKER, United States Magistrate Judge:

On April 4, 2023, this matter was referred to the Court-annexed mediation program. On June 22, 2023, the mediator filed a final report stating that the parties had reached an agreement on all issues.

By **Friday, July 28, 2023**, the parties shall file a motion for approval of their settlement agreement in accordance with *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 1999 (2d Cir. 2015) (requiring judicial fairness review of FLSA settlements). The motion shall include a copy of the written settlement agreement for the Court's review. Any request for an extension of this deadline must be made by letter filed on ECF at least two business days in advance of the deadline.

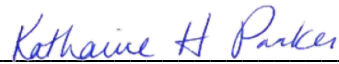
The parties shall discuss whether they consent to conduct all proceedings, including a decision on the *Cheeks* motion, before the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(c). If all parties consent, they shall complete the Consent to Proceed Before a U.S. Magistrate Judge form available on the Court's website at <http://nysd.uscourts.gov/file/forms/consent-to-proceed-before-us-magistrate-judge> and return such form to the Clerk of the Court.

If all parties do not consent to the undersigned's jurisdiction, Plaintiffs shall file a letter by **Friday, July 28, 2023** stating that the parties discussed the issue and do not consent. The letter shall not state any particular party's consent or non-consent. This Order is not meant to interfere in any way with the parties' absolute right to have dispositive motions and/or a trial before a United States District Judge, but is merely an attempt at preserving scarce judicial resources and reminding the parties of their option pursuant to 28 U.S.C. § 636(c).

In light of the representation by the mediator that the parties reached an agreement on all issues in this matter, the Initial Case Management Conference scheduled on July 13, 2023 at 3:00 p.m is **adjourned** sine die.

SO ORDERED.

DATED: New York, New York
June 28, 2023



KATHARINE H. PARKER
United States Magistrate Judge